

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

In re Application of

ISZO CAPITAL LP,

Petitioner, for an Order Pursuant to 28
U.S.C. § 1782 to Conduct Discovery for
Use in a Foreign Proceeding.

Case No. 20-_____

ORDER TO SHOW CAUSE

Upon consideration of the papers annexed to this Order to Show Cause, including the Application for an Order of Judicial Assistance Pursuant to 28 U.S.C. § 1782 (the “Application”); the Declaration of Adrienne M. Ward, Esq. and the exhibits thereto; the Expert Declaration of Alex Hall Taylor QC and the exhibits thereto; the Declaration of Nicholas Burkill and the exhibits thereto; the Memorandum of Law in support of the Application; and all prior pleadings and proceedings heretofore had herein, it is hereby:

ORDERED that respondent Peter R. Kellogg (“Respondent”) show cause before this Court at Courtroom _____, United States Courthouse, 50 Walnut Street #4015, Newark, New Jersey 07102 on the _____ day of November, 2020, at _____ o’clock [AM / PM], or as soon thereafter as counsel can be heard, why an order, pursuant to 28 U.S.C. § 1782, should not be issued (i) granting Petitioner leave to serve a subpoena on Respondent; (ii) directing Respondent to comply with the subpoena’s requests for the production of documents within fourteen (14) days of this Court’s order; and (iii) directing Respondent to appear for a deposition at a date which shall be no later than December 15, 2020;

ORDERED that service of this Order to Show Cause on Respondent, together with copies of the papers in support thereof, via personal delivery to Respondent, on or before November ____, 2020, be deemed good and sufficient service thereof; and, it is further;

ORDERED that copies of opposition papers, if any, be filed with this Court and served upon Petitioner's counsel via the Court's ECF filing system and by e-mail to Petitioner's counsel at jweiner@olshanlaw.com, on or before November ____, 2020. Reply papers, if any, shall be filed on or before November ____, 2020.

Dated: Newark, New Jersey
November ____, 2020

SO ORDERED

United States District Judge